

1023

noise be applied strictly, no informal trading be allowed anywhere along Church or Stil streets, no shacks or any form of extension to the housing structure be allowed without compliance to municipal application and approval processes (including construction inspection), refuse be remove on at least the same regular basis as served on the rest of our residential community, that facilities be provided to the residents to enable them to keep the living area clean (waste bins) and that Council binds itself to manage the site according to rules and regulations as if it was a SR1 zoned property development (irrespective of the fact that occupants are going to be of a transitional nature for the as yet to be contracted and accepted, timeframe.

- Toilet and washing facilities

There is no clarity on the intended Toilet and Washing facility structures and we herewith object to any facility being created which is not intended to serve ONLY the legal and registered occupants of the intended dwelling.

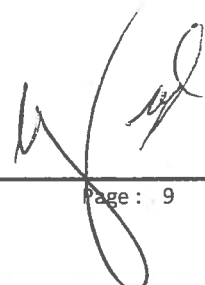
Written commitment from the Municipality is required which states that the washing facilitates will be of such a nature that no petitioning or mass action can or will originate because of the nature or inadequacy thereof and a further commitment that there will be sufficient thereof to ensure that no resident needs to relieve him or herself in any other place and in so doing foul the environment and place the health of our community at risk.

Commitment in writing is required that the toilet facilities will be monitored on a by-weekly basis to ensure that it is kept in a clean and functional operational status at all times and that there will be sufficient water per living unit to adhere to washing, toilet and living requirements

#### Associated Concerns and requirements

The extent of potential damage to our living & social well-being conditions, safety and property values being forced upon us by this proposed development (if not performed in consultation with us as Affected parties) has been highlighted by this undesired development and has made us, the Affected Parties, acutely aware of the fact that there are other issues that could in future, if not planned at an acceptable level to the Affected Parties, result in similar, if not even more damaging prospects.

In light of this, we require of Council a written agreement that the Affected Parties referred to in this document will be consulted to ensure universal acceptance of proposal, if and when :



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- The intended Church Street extension to link with the Schulphoek road is planned. Clearly this forms a potential access path to Hermanus and the access route via this road will materially influence safety, social lifestyle and property values if unacceptably planned.

We as Affected Parties herewith state our formal rejection of any road structure and route that could adversely affect us. We do not wish to encounter road routes that lead to situations such as the termed "Hell Run" of the N2 or the section of road just prior to the Grabouw turnoff or situations such as Nekkies in Knysna

- The section of ground immediately opposite Hermanus Beach Club is planned for development as unacceptable development on this section of ground could have a devastating effect on the lives of the Affected Parties

### **Beach Club Specific**

Hermanus Beach Club is one of Hermanus' largest rates and tax contributors. Our contribution covers the expectation of provision of an acceptable level of sewage management services.

For years now Beach Club has had to make do with inadequate sewage-management facilities that regularly result in unacceptable overflow and service pipe breaks to the huge discomfort of the residents.

Hermanus Beach Club requires of Council to provide them with contractual agreement that there will be funds set aside for the upgrade of the sewage system within the immediate future and this implies that a commitment date for completion of such services need to be contracted to. We provide funding for sewage infrastructure management on a monthly basis and require our sewage infrastructure to be managed effectively going forward

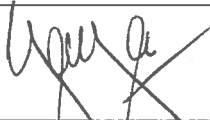
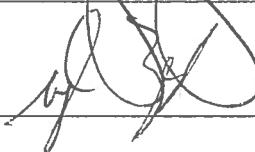
### **Objection Summary**

We have recorded objections and acceptance terms above and wish to state that should these acceptance terms not be considered as achievable by yourselves then any apparent acceptance that may be considered as being derived from the content of this document of objection of mine be considered withdrawn and a blanket objection to the intended development be considered as in its stead.

We, Affected Parties request acknowledge of receipt of our objections and look forward to receipt of Council's written commitments to ensure our safety and property values by means of agreement to mutual beneficial understandings as detailed herein.

Yours in objection,

List of Affected Parties detailed below

Affected Party	Representative Name & Position	Representative Signature
Whale Rock Estate Body Corporate	Cyril Glaser, Chairman	 11/02/16
Whale Bay Cascades	Willem van Zyl, Managing Member	 11/02/2016
Hermanus Beach Club Home Owners Association	Jan Maree, Vice Chairman	
Hermanus Beach Club Body Corporates	Marius van der Westhuizen, Development Manager	
Mariners Village	Eugene Botha, Chairman	
Westcliff Resident		

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FILE NO:	Even 1938 & 2018
SCAN NO:	zw
	43
COLLABORATOR NO:	875067



Mrs L M Francks  
4 Sunnybrae Crescent  
Westcliff  
Hermanus

The Mayor

Mrs. Nicolette Botha-Guthrie

P.O. Box 20

Hermanus

7200

Email : [nbotha-guthrie@overstrand.gov.za](mailto:nbotha-guthrie@overstrand.gov.za)

09 February 2016

TP- A Theart  
(Holiwès)

Dear Mrs. Botha-Guthrie

Planned Transit Site Development, Westcliff, Hermanus

I am a property owner in Westcliff, Hermanus.

I have just been informed of the intention to create a Transit Site on the corner of Stil and Church Streets and that the municipality has apparently placed an advertisement about the intended development in some newspapers to advise the residents of the project and provided time for objections till the 15<sup>th</sup> of February. I have not as yet seen this advert and therefore do not know the full extent of the intended project. I do however not need to know every aspect thereof to know that such a Transit Area can have a very material negative influence on my property value and am surprised that an issue of such cardinal importance to the residents in the affected surrounding area was not informed by personal mail of the intention thereof as opposed to the simple placement of an advert which has obviously not been seen by the majority (if not all) of the affected property owners.

I have been advised that the management of Beach Club and others have been having discussions with the municipal executive during a stage when they were under the impression that the development area was going to be a low-cost housing area and that these discussions were semi-concluded before there was a decision taken to place a Transit Site on the development area. I understand the following from feedback so received and I append my comments, concerns and objections thereto below:

- You as Mayor have apparently made a commitment that nothing would be done that would negatively affect Westcliff's property values. How am I to believe this if I have not even been advised of the intended development of a Transit Site that is very likely to materially affect my living conditions if not controlled properly – I see this as an infringement of my constitutional rights to be consulted on issues that could affect me both financially and

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socially. I object to the fact that I as a property owner in an affected area was not directly advised of either of these intended development scenarios.

- It is apparently the intention to develop a commercial zone on the corner of Stil and Church streets. I have been told that Beach Club and others have raised their concern about potential spaza shops, taxi ranks and possibly free trading areas that could be developed there. How is this area going to be kept clean and clear of vagrants and rubbish and all types of unwanted elements that will negatively affect our complete residential zone? I herewith object to this potential development site unless written assurances are given that the development site will be kept in a pristine condition. I further require written assurances that we as affected property owners will be consulted about potential development plans of the site before decisions are taken, and thereafter provided information on the preferred development and a period to object to such a development if it is considered as having a potentially negative impact on the residential area.
- The Municipality apparently initially planned a formal SR1 zoned housing development on the site. This has now apparently been altered to cater for a Transit Area that may remain as such for a period of up to 5 years.

I object strongly to this strategy unless you can provide our community with written assurances of such a nature that we can take legal action against the municipality for failure to perform. These performance terms should cover commitments that the intended site will be kept clean, that regulations regarding noise be applied strictly, no informal trading be allowed anywhere along Church or Stil streets, no shacks or any form of extension to the initial housing structure be allowed, refuse be removed on at least the same regular basis as served on the rest of our residential community and that facilities be provided to the residents to enable them to keep the living area clean (waste bins) and that you contractually bind yourselves to manage the site according to rules and regulations as if it was a SR1 zoned property development (other than the transit occupational provision)

- I understand that you have committed that no double-storey units be constructed within the bottom half (i.e. the half towards Church Street). I wish to gain your commitment that this restriction will be placed in the title deeds when the houses are eventually transferred to the eventual owners and that until that time you undertake in writing that the houses will not under any circumstances be altered to accommodate double or any other form of multiple storey structure, and that only the owners and their immediate family members may occupy the units.
- Access road to Church Street:
  - I have been advised that Beach Club and other representatives objected to an intended access road from the proposed development onto Church Street - I have inspected the proposed access position and fully support their objection to any access road into Church Street. The intended access position is close to a blind bend with viewing further restricted by an abalone farm wall. Few of the intended residents have transport and even one access road to the site should surely be sufficient bar the fact that provision need possibly be made for fire safety reasons. Church Street provides the only access

to the residential areas beyond that point and it would be unacceptable to create a potential risk area like this that can lead to the closing of the road to their development. I herewith state my objection to the access street to Church Street and lend my support to objections to the intended road already made by the other parties and support a proposal to a second access road from Stil Street if a second access point is indeed required.

- Wall enclosure

I understand that there is apparently now going to be provision made for a 1,8 metre wall around the perimeter of the development. This wall is apparently only going to be "bagged". I feel the height of the wall does not provide sufficient security for the residents and should be increased in height and the bagging of the wall does not enhance the area and will not prevent our property values from devaluing.

I was told that there are thoughts of increasing the height of the wall to 3 metres and to the plastering & painting of the wall and the placement of security lighting and gardens along Church Street and possibly even the planting of a tree lane down Church Street from Stil Street onwards towards Beach Club.

This wall and garden area and the maintenance thereof (including the painting of the walls) need to be committed to in writing by the municipality.

I support an enhanced featured wall as referred to above and reject as inadequate the intended 1,8 metre bagged wall and state my total objection to the intended Transit Area.

- Toilet and washing facilities

I do not have clarity on the intended toilet and washing facilities and herewith object to any facility being created which is not intended to serve ONLY the occupants of the intended dwellings.

I need a written commitment from the Municipality which states that the washing facilities will be of such a nature that no petitioning or mass action can or will originate because of the nature or inadequacy thereof and a further commitment that there will be sufficient thereof to ensure that no resident needs to relieve him or herself in any other place and in so doing foul the environment and place the health of our community at risk. I need your commitment in writing that the toilet facilities will be kept in a clean and functional operational status at all times and that there will be sufficient water per living unit to adhere to washing, toilet and living requirements.

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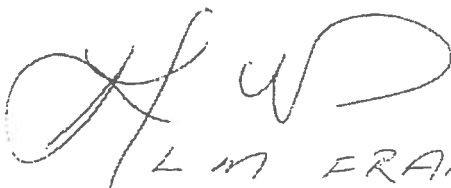
- Objections

I have recorded my objections and acceptance terms above and wish to state that should these acceptance terms not be considered as achievable by yourselves then any apparent acceptance that may be considered as being derived from the content of this document of objection of mine be considered as withdrawn and a blanket objection to the intended development be considered as in its stead.

I understand the need to provide housing for people and have no argument in that regard. However, I do not understand and it does not make sense at all why, after the initial plans were drawn up September 2014 (information gained from Mrs G Bucker, Canterbury 106) for permanent built housing, the Municipality wants to take this route. Surely the permanent structures can be built and then the people can be moved into the houses, and then Zwelihle can be upgraded?. I state that where such a development is very likely to materially affect property values, safety and living standards of myself, my family and friends then our needs and rights need to be given serious attention and if not attended to then you should expect my serious objection and expect repercussions as a result thereof.

Please acknowledge receipt of my objections and I request your confirmation of your willingness to place your commitment to ensure our safety and property values in writing.

Yours in objection,



L M FRANCKS

Ps. Please respond to the following address

Mrs L M Francks  
31 Links drive  
Pinelands  
Cape Town  
7404

Tel No: 083 659 9333

Email Address: [lornaonlinks@gmail.com](mailto:lornaonlinks@gmail.com) + [sales.pinelands@harcourts.co.za](mailto:sales.pinelands@harcourts.co.za)



FILE NO:	Even 1938 + 2018
SCAN NO:	2w
COLLABORATOR NO:	44
	875077



The Mayor

Mrs. Nicolette Botha-Guthrie

P.O. Box 20

Hermanus

7200

Email : [nbotha-guthrie@overstrand.gov.za](mailto:nbotha-guthrie@overstrand.gov.za)

29 January 2016

FW Garrett

10 Cliff Road

Westcliff

Hermanus

TP- A Theart  
(Hollister)

Dear Mrs. Botha-Guthrie

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I am a property owner in Westcliff, Hermanus.

I have just been informed of the intention to create a Transit Site on the corner of Stil and Church Streets and that the municipality has apparently placed an advertisement about the intended development in some newspapers to advise the residents of the project and provided time for objections till the 15<sup>th</sup> of February. I have not as yet seen this advert and therefore do not know the full extent of the intended project. I do however not need to know every aspect thereof to know that such a Transit Area can have a very material negative influence on my property value and am surprised that an issue of such cardinal importance to the residents in the affected surrounding area was not informed by personal mail of the intention thereof as opposed to the simple placement of an advert which has obviously not been seen by the majority (if not all) of the affected property owners.

I have been advised that the management of Beach Club and others have been having discussions with the municipal executive during a stage when they were under the impression that the development area was going to be a low-cost housing area and that these discussions were semi-concluded before there was a decision taken to place a Transit Site on the development area. I understand the following from feedback so received and I append my comments, concerns and objections thereto below:

- You as Mayor have apparently made a commitment that nothing would be done that would negatively affect Westcliff's property values. How am I to believe this if I have not even been advised of the intended development of a Transit Site that is very likely to materially affect my living conditions if not controlled properly - I see this as an infringement of my constitutional rights to be consulted on issues that could affect me both financially and socially. I object to the fact that I as a property owner in an affected area was not directly advised of either of these intended development scenarios.

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12 FEB 2016

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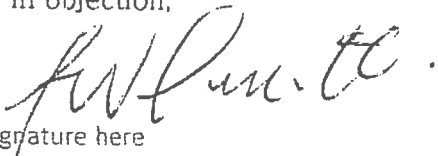
1034

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Please acknowledge receipt of my objections and I request your confirmation of your willingness to place your commitment to ensure our safety and property values in writing.

Yours in objection,



Your signature here

CC: [smuller@overstrand.gov.za](mailto:smuller@overstrand.gov.za) [rkuchar@overstrand.gov.za](mailto:rkuchar@overstrand.gov.za)

Ps. Please respond to the following address

Your Name Here	F. W. GARRETT .
Address Line 1	PRIVATE BAG X 15
Address Line 2	SUITE 71
Address Line 3	HERMANDS
CODE	7200
Tel no: 999-9999-999	028 313 1485
Email address if relevant	fwdgarrett@telkomsa.net

FILE NO:	Erven 1938 & 2018
SCAN NO:	zw
	42
COLLABORATOR NO:	875063

TP - A Theerth Holliver



Cll Sander

The Mayor  
 Mrs. Nicolette Botha-Guthrie  
 P.O. Box 20  
 Hermanus  
 7200  
 Email : [nbotha-guthrie@overstrand.gov.za](mailto:nbotha-guthrie@overstrand.gov.za)  
 29 January 2016

110 Westcliff Road  
 WESTCLIFF  
 Hermanus

Dear Mrs. Botha-Guthrie

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